

RURAL COMMUNITY INSURANCE SERVICES)	AGBCA No. 98-153-F
(Compliance Case RA-EFNC-234:)	
Jones Potato Farms, Inc.;)	
Riverdale Potato Farm, Inc.; Alan E. Jones Farm),)	
)	
Appellant)	
)	
Representing the Appellant:)	
)	
Daniel N. Rosenstein)	
Levin & Rosenstein)	
1130 Seventeenth Street, S.W., Suite 314)	
Washington, D.C. 20036)	
)	
Representing the Government:)	
)	
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DECISION OF THE BOARD OF CONTRACT APPEALS

December 2, 1999

Before HOURY, VERGILIO, and WESTBROOK, Administrative Judges.

Opinion for the Board by Administrative Judge VERGILIO.

On February 19, 1998, the Board received this appeal from Rural Community Insurance Services, of Anoka, Minnesota (as the successor in interest to National Ag Underwriters, Inc.), involving the U. S. Department of Agriculture, Federal Crop Insurance Corporation (FCIC). Relying upon a Standard Reinsurance Agreement (SRA), Rural provided insurance to three producers of potatoes. The SRA represents a cooperative financial assistance agreement to deliver multiple peril crop insurance under the authority of the Federal Crop Insurance Act, as amended, 7 U.S.C. §§ 1501 *et seq.* The insurance company disputes the assessment (made by the FCIC in compliance case RA-EFNC-234) of \$751,799 in allegedly overpaid premiums and indemnities to three potato farms.

Regulation provides the Board with the authority to resolve this timely-filed matter (7 C.F.R. §§ 24.4(b), 400.169(a)-(d)). After telephone conferences with the Board, while engaged in discovery, after the filing of a complaint and answer, but prior to the closing of the evidentiary record, the parties settled this matter. A settlement and release specifies that the Government may deduct \$94,500 from the account of the insurance company. On November 24, 1999, the Board received a letter from the parties requesting a dismissal with prejudice of this matter.

DECISION

The Board dismisses with prejudice this matter.

JOSEPH A. VERGILIO
Administrative Judge

Concurring:

EDWARD HOURY
Administrative Judge

ANNE W. WESTBROOK
Administrative Judge

Issued at Washington, D.C.
December 2, 1999